Dear Howard, 9/23/77

This is in partial explanation of the enclosed, the government's summary-judgement motion in the King suit limited to copies of the Louw/Life (pcm) pictures and a hasty and long letter to Jim including all I can think of for his selection in an affidavit. At the end I propose a compromise I think it is not impossible that they will go for if they consider it in the light of what Jim will file and the rather harsh record Time makes of and for itself.

Jim and I think their strongest argument, regardless of the limitations of its presentation, is are these agency records. I think one of ours is waiver, that they have already given me copies without limitation and that the FBI has waived by already making and giving me copies and making copies for their own uses, of which I have copies. They have, I think, before a fair court, made a career of violating the principles andpractises about which they prate without a shred of evidence being offered on any point.

If you have time and can make any suggestions I'm sure Jim will welcome them.

If you have no interest or need perhaps Dave would be interested, if he can make his way through my typing and long sentences that pour out longer when I rush.

There have been interruptions, none unwelcome, from the phone and Les Payne's visit yesterday to the I hope imminent arrival of the technicians who are supposed to complete the wiring of our now not new electronic components. They were delayed by a special switching part. Supposedly when they are finished I'll be able to tape from TV into either a good cassette deck or onto reels that can be longer via the old Wollensak. I can now tape onto cassettes only and from radio only. I'm also supposed to have a dubbing capability, like playing a reel on the Wollensak or another once-fine and just-overhauled Concord and dubbing onto cassettes.

If I'd had this completed I could have taped the entire Senate hearings on mind-bending while I was in Washington. Imagine how long a full 7# reel of full of half-mil tape will run! I know that 2 5" makes 3 hours. 3" used to make an hour, each per side.

Jim whote once gave me an old time clock that was too imprecise for cassettes. I might even invest in a good one. Those used for imprecise purposes, like turning lights on and off, were accurate to less than 15 minutes two decades ago. I used many.

Did the assassins committee invite you to their gathering of last week? Have you heard anything about it? Some were outraged that they insisted on signed oaths of secrecy extending even to who was there among critics. Hoch told Jim he was somewhat optimistic. Sylvia told Gandolfo she now has no hope from them. Both were there, with Lane, Tink, Bud's assistant Cathy Cinella, possibly O'Toole, Peter Dale Scott and I think perhaps Mary Ferrell, who I was told was to be invited. I understand that two of those invited declined. I thus ask if you are the second. I can think of Epsteink, too.

I'll also be sending a copy of the Williams decision. You may be interested and you may have some suggestions for Jim on the appeal. Lil can8t do the copying now because she is gallavanting down in the Rockville Mall with Eleanor Harper. The costs of the copying are lounting but the convenience and Lil's acquired skill are a great convenience. Until tax season.

If your people get a copy of Philadelphia Magazine I have not seen that story. They should have written about you. I pushed the idea and felt it was well received. I'm surprised that nonw of my Philadelphia friends or relations has said a word.

I have a manuscript copy of the Bernstein Rolling Stone piece. Jim has been unable to obtain a copy- CIA buying up? There may be differences between the ms embargoed for release almost two weeks ago and the printed version, if you do get a copy. Meanwhile, if you want a copy, for you I'm sure I can offer Lil's services. For her 30 pages can be less than five minutes. I'm not going to read this until Lil makesone copy I'll mark up for further uses. That afterward will be a spare and if you do not object to the marks will not even require another copying. The subject dropped dead very fast, it seems. Not unexpectedly, he was. Par.

Best,